

NEB-154 Pra titi n r's Do k t N

PATENT

#### IN THE UNITED STATES PATENT AND TRADEMARK

**B** x Patent Application **Assistant Commissioner for Patents** Washington, D.C. 20231

## **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s):

Thomas C. EVANS

Ming=Qun XU

WARNING: 37 C.F.R. § 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name or names of the inventor or inventors."

For (title):

INTEIN-MEDIATED PROTEINSLIGATION OF EXPRESSED PROTEINS

## CERTIFICATION UNDER 37 C.F.R. § 1.10\* (Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 12 February 1999 as "Express Mail Post Office to Addressee," mailing Label Number <u>EE466580584US</u> dressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

> Melissa ickini mailing paper) name of b

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be

used to obtain a date of mailing or transmission for this correspondence.

\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since th filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an versight that can be avoided by the exercise of reasonable care, requests for waiver f this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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## 1. Type of Applicati n

This n w application is for a(n)

☑ Original (nonprovisional)
 ☐ Design
 ☐ Plant
 WARNING: Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S.C. § 371(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application.
 WARNING: Do not use this transmittal for the filing of a provisional application.
 NOTE: If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.
 ☐ Divisional.
 ☐ Continuation.
 ☐ Continuation-in-part (C-I-P).

(check one applicable item below)

## 2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

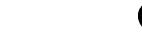
- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America; or
- (ii) Complete as set forth in § 1.51(b); or
- (iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or
- (iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(f) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

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WARNING: When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application must be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).

The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

	uired for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 sign) Application
$\frac{22}{2}$ Pa	ages of specification (includes cover page)
	ages of claims
SI	heets of drawing
WARNING	DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 57-62).
in th oi	dentifying indicia, if provided, should include the application number or the title of the invention, wentor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed in the back of each sheet of drawing a minimum distance of 1.5 cm. (5/8 inch) down from the top of the page " 37 C.F.R. § 1.84(c)).
	(complete the following, if applicable)
	The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).
	formal
X	informal
B. Oth	ner Papers Enclosed
$\frac{3}{1}$ P	ages of declaration and power of attorney
P	ages of abstract
0	ther
. Addit	ional papers enclosed
	Amendment to claims
	☐ Cancel in this applications claims before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
	Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)
	Preliminary Amendment
	Information Disclosure Statement (37 C.F.R. § 1.98)
	Form PTO-1449 (PTO/SB/08A and 08B)
	Citations

	] Dec	claration o	of Biological Deposit	
	per	taining th	of "Sequence Listing," computer readable copy and/or ame nereto for biotechnology invention containing nucleotide sequenc .	
	Aut tive		of Attorn y(s) to Accept and Follow Instructions from Repo	resenta-
		ecial Com		
<u>[X</u>	Oth	er State	ement of Submitting Sequence; Papercopy of Se	quence
5. Dec	laratio	on or oat	h (including power of attorney)	
NOTE:	the price by all controls applicant the sign by a standering of declarate person	or nonprovisor fewer that tion being finature or an atement required. If the under § 1.4	declaration is not required in a continuation or divisional application prosional application contained a declaration as required, the application being an all the inventors named in the prior application, there is no new material in the inventors named in the prior application filed in the prior application indication thereon that it was signed) is submitted. The copy must be accupating deletion of the names of person(s) who are not inventors of the additional in the prior application was filed under § 1.47, then a copy of filed accompanied by a copy of the decision granting § 1.47 status or, if an 47 has subsequently joined in a prior application, then a copy of the subton must be filed. See 37 C.F.R. §§ 1.63(d)(1)–(3).	ing filed is tter in the (showing companied application by of that consigning
NOTE:	is direct abbrevi country	ted, identify iation togeth	to complete an application must be executed, identify the specification to each inventor by full name including family name and at least one given name her with any other given name or initial, and the residence, post office adhip of each inventor, and state whether the inventor is a sole or joint in —(4).	ne, without Idress and
Ω	I End	closed	,	
	Exe	ecuted by	•	
			(check all applicable boxes)	
	X	inventor	<b>(s</b> ).	
			presentative of inventor(s). R. §§ 1.42 or 1.43.	
		interest	rentor or person showing a proprietary on behalf of inventor who refused to sign ot be reached.	
			This is the petition required by 37 C.F.R. § 1.47 and the st required by 37 C.F.R. § 1.47 is also attached. See item 1 for fee.	
	] Not	t Enclose	d.	
NOTE:	the U.S may be	S. application e treated as	a completion in the U.S. of an International Application or where the con in contains subject matter in addition to the International Application, the a a continuation or continuation-in-part, as the case may be, utilizing ADE CATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION	application DED PAGE
			tion is made by a person authorized under 37 C.F.R. § 1. of all the above named inventor(s).	41(c) on
(The	declai	ration or o	oath, along with the surcharge required by 37 C.F.R. § 1. can be filed subsequently).	16(e)
			Showing that the filing is authorized. (not required unless called into question. 37 C.F.R. § 1.4	l1(d))
			(New Application Transmittal [4-1]—pag	e 4 of 11)

6. Inv ntorship Stat ment
WARNING: If the named inventors are each not the inventors of all the claims an explanation, including the own rship of the various claims at the time the last claimed invention was made, should be submitted.
The inventorship for all the claims in this application are:
☐ The same.
· or
Not the same. An explanation, including the ownership of the various claims a the time the last claimed invention was made,
is submitted.
☐ will be submitted.
7. Language
NOTE: An application including a signed oath or declaration may be filed in a language other than English An English translation of the non-English language application and the processing fee of \$130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may be set by the Office. 37 C.F.R. § 1.52(d).
☑ English
☐ Non-English
The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).
8. Assignment
An assignment of the invention to New England Biolabs, Inc.
is attached. A separate  "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or  FORM PTO 1595 is also attached.
☐ will follow.
NOTE: "If an assignment is submitted with a new application, send two separate letters-one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).
WARNING: A newly executed "CERTIFICATE UNDER 37 C.F.R. § 3.73(b)" must be filed when a continuation in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G. 62-64.

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# 9. Certified Copy

Certified copy(i s) of application(s)

Country	Appln. No.		Filed
Country	Appln. No.		Filed
Country	Appln. No.		Filed
rom which priority is claimed			
☐ is (are) attached.			
☐ will follow.			
NOTE: The foreign application for declaration. 37 C.F.R. § 1.	ming the basis for the claim for 55(a) and 1.63.	priority must be	referred to in the oath o
U.S. application or Internat § 120 is itself entitled to pr	n priority for which the application ional Application from which this iority from a prior foreign application TRANSMITTAL WHERE	application claimation, then comple	s benefit under 35 U.S.C te item 18 on the ADDEL
10. Fee Calculation (37 C.F	F.R. § 1.16)		
A. X Regular application	1		
	CLAIMS AS FILED		A
Number filed	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$760.00
otal Claims (37 C.F.R. 3 1.16(c)) 49 –	<b>20</b> = <sup>29</sup> ×	\$ 18.00	522.00
ndependent 7	4		312.00
1.16(b))_ —	3 = ×	\$ 78.00	
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))	+	\$260.00	260.00
☐ Amendment cance	lling extra claims is enclo	sed.	
☐ Amendment deleting	g multiple-dependencies	is enclosed.	
☐ Fee for extra claim	s is not being paid at this	s time.	
	re not paid on filing they must be a ne time period set for response of C.F.R. § 1.16(d).		
	Filing Fee Calculation		\$ 1854.00
B. Design application (\$310.00—37 C.F.F	R. § 1.16(f))		
·	Filing Fee Calculation		\$
C. Plant application (\$480.00—37 C.F.F	•		

Filing fee calculation

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11.	Small	<b>Entity</b>	Stateme	nt(s
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Statement(s) that this is a filing by a small entity under 37 C.F.R. § 1.9 and 1.27 is (are) attached.

WARNING: "Status as a small entity must be specifically established in each application or patent in which the status is available and desired. Status as a small entity in one application or patent does not affect any other application or patent, including applications or patents which are directly or indirectly dependent upon the application or patent in which the status has been established. The refiling of an application under § 1.53 as a continuation, division, or continuation-in-part (including a continued prosecution application under § 1.53(d)), or the filing of a reissue application requires a new determination as to continued entitlement to small entity status for the continuing or reissue application. A nonprovisional application claiming benefit under 35 U.S.C. § 119(e), 120, 121, or 365(c) of a prior application, or a reissue application may rely on a statement filed in the prior application or in the patent or includes a reference to the statement in the prior application or in the patent or includes a copy of the statement in the prior application or in the patent and status as a small entity is still proper and desired. The payment of the small entity basic statutory filing fee will be treated as such a reference for purposes of this section." 37 C.F.R. § 1.28(a)(2).

WARNING: "Small entity status must not be established when the person or persons signing the . . . statement can unequivocally make the required self-certification." M.P.E.P., § 509.03, 6th ed., rev. 2, July 1996 (emphasis added).

(complete the following, if applicable)

	3 Status as a small	entity was	claimed in prio	r application	
	//		, filed on		from which benefit
	is being claimed f				
v		119(e), 120, 121, 365(c),			
	and which status	s as a small	l entity is still p	proper and des	ired.
	☐ A copy of the	e statemen	t in the prior a	pplication is in	cluded.
	Filing Fee Ca	culation (50	% of <b>A, B</b> or <b>C</b>	above)	
		<b>\$</b> 92	7.00		
NOTE:	Any excess of the full fee are filed within 2 months extendable under § 1.13	s of the date of	of timely payment	iy status is establis of a full fee. The	hed and a refund request two-month period is not
12. Re	equest for Internatio	nal-Type S	earch (37 C.F.	R. § 1.104(d))	
		(comple	ete, if applicable	e)	
Ε	Please prepare an	internationa	al-type search re	eport for this ap	oplication at the time

when national examination on the merits takes place.

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13.

3. Fee	Paym nt Being Mad at This Tim	
	Not Enclosed	
	□ No filing fee is to be paid at this time. (This and the surcharge required by 37 C.F.R. § subsequently.)	1.16(e) can be paid
X	Enclosed	
		\$ <u>927.00</u>
	☑ Recording assignment (\$40.00; 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)	\$ <u>40.00</u>
	☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached (\$130.00; 37 C.F.R. §§ 1.47 and 1.17(i))	\$
	For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))	\$
	Processing and retention fee (\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l))	\$
	☐ Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e))	\$
NOTE:	37 C.F.R. § 1.21(I) establishes a fee for processing and retaining any application to complete the application pursuant to 37 C.F.R. § 1.53(f) and to 37 C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the beneither the basic filing fee must be paid, or the processing and retention within 1 year from notification under § 53(f).	efit of a prior U.S. application, fee of § 1.21(f) must be paid,
	Total fees enclosed	<b>\$</b> 967.00
14. M	ethod of Payment of Fees	
[	☑ Check in the amount of \$ 967,00	_
ſ	Charge Account No.	_ in the amount of
	A duplicate of this transmittal is attached.	nea the fees are naid, 37 C.F.R.
NOTE:	Fees should be itemized in such a manner that it is clear for which purposes 1.22(b).	000 alo 1000 alo para el 211 III.

(New Application Transmittal [4-1]-page 8 of 11)

## 15. Authorization to Charg Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

- The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 14-0740
  - 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)
  - 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)
- NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.
  - 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
  - 37 C.F.R. § 1.17(a)(1)–(5) (extension fees pursuant to § 1.136(a)).
  - □ 37 C.F.R. § 1.17 (application processing fees)
- NOTE: ". . . A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).
  - □ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))
- NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).
- NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . the issue fee. . . " From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

(New Application Transmittal [4-1]—page 9 of 11)

16. Instructions as to Overpaymen
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A	Amounts of twenty-fiv reasonable time, nor will the e returned by check or, if	e payer be notified requested, by cre	d of such amount	ts; amounts over	twenty-five dollars n
X	Credit Account No.	14-0740			
	Refund				
					-
					e
			•		

**Reg. No.** 30901

Tel. No. ( 978) 927-5054 X:292

Customer No.

SIGNATURE OF PRACTITIONER

Gregory D. Williams General Counsel

(type or print name of attorney)

New England Biolabs, Inc.

32 Tozer Road

P.O. Address

Beverly, MA 01915

(New Application Transmittal [4-1]—page 10 of 11)

X	Incorp	poration by reference of added pag s
	pr sta th	heck th following item if the application in this transmittal claims the benefit o ior U.S. application(s) (including an international application ntering th U.S age as a continuation, divisional or C-I-P application) and complete and attacl e ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF RIOR U.S. APPLICATION(S) CLAIMED)
		Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S Application(s) Claimed
		Number of pages added5
		Plus Added Pages for Papers Referred to in Item 4 Above
		Number of pages added
		Plus added pages deleting names of inventor(s) named in prior application(s who is/are no longer inventor(s) of the subject matter claimed in this application
		Number of pages added
		Plus "Assignment Cover Letter Accompanying New Application"
		Number of pages added
	State	ment Where No Further Pages Added
	-	no further pages form a part of this Transmittal, then end this Transmittal with is page and check the following item)
	П	This transmittal ends with this page

(New Application Transmittal [4-1]—page 11 of 11)

# ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

NOTE: See 37 C.F.R. § 1.78.

§ 1.78(a)(4).

#### 17. Relate Back

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

(complete the following, if applicable)

		Amend the specification by inserting, before the first line, the following sentence:
A.	35	U.S.C. § 119(e)
1	NOTE:	"Any nonprovisional application claiming the benefit of one or more prior filed copending provisional applications must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior provisional application, identifying it as a provisional application, and including the provisional application number (consisting of series code and serial number)." 37 C.F.R.

"This application claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:	FILING DATE
60 / 102,413	Sept. 30, 1998 "
/	
/	

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

[4-1.1]—page 1 of 5)



# B. 35 U.S.C. §§ 120, 121 and 365(c)

NOTE:	claimin applica first se it by a numbe	ig th benefit f one or more ations designating the United intence f the specification follop oplication number (consisting or and international filing data aces to other related applica	on application filed under § re prior filed copending nong d States of America must co flowing the title a reference to g of the series code and ser te and indicating the relation ations may be made when a	orovisional a ntain or be a each such p ial number) nship of the	pplications or international amended to contain in the prior application, identifying or international application applications Cross-		
X	] <b>"T</b> r	is application is a					
		continuation					
	X	continuation-in-part					
		divisional					
o	of cope	ending application(s)		Patent 1	No. 5,834,247 iss	ued	
X	] app	olication number 08/_	811,492 (now U.S.	Novembe:	ralus,4998)/7		
	] Inte	ernational Application _		file	filed on Marc	h 5,	1997
			and which designa				
NOTE:	The pro	oper reference to a prior file	d PCT application that enter f the PCT application that d	ed the U.S.	national phase is the U.S.		
NOTE:	the filin	ere the application being tra g can be as a continuation-il as a continuation.	nsmitted adds subject matte n-part or (2) if it is desired to	r to the Inte do so for ot	mational Application, then ther reasons then the filing		
NOTE:	The de	adline for entering the natio Notice of April 28, 1987 (10)	nal phase in the U.S. for an 79 O.G. 32 to 46) as follows	internationa :	al application was clarified		
	month Prelimit and un which of from th to the interna 20 or 3 States as para and 12	from the priority date if the Unary Examination has been fittle the 32nd month from the elected the United States of the priority date, provided the Patent and Trademark Officitional application has not be 0 month period respectively, 20 or 30 months from the prigraph (h) of § 1.494 and para 0 may be filed anytime during the state of the priority of the priority of the state of the priority of the state o	considers the International ap- Jnited States has been designated prior to the expiration of priority date if a Demand for f America has been filed prior at a copy of the international e within the 20 or 30 month een communicated to the Pa the international application iority date respectivley. These graph (i) of § 1.495. A continuing the pendency of the international	nated and not the 19th more international responsibilities to the explication of period responsibilities and Tracket and Track	o Demand for International onth from the priority date al Preliminary Examination biration of the 19th month has been communicated pectively. If a copy of the ademark Office within the bandoned as to the United he been placed in the rules tion under 35 U.S.C. 365(c) blication."		
	"Th	e nonprovisional applic	cation designated above	e, namely	y application		
	U.S	// . Provisional Application	on(s) No(s).:	<del></del> ,	claims the benefit of		
		NO(S).:		F	ILING DATE		
				_	n		
	/			_	"		
	/						
	Who	ere more than one refe one sentence.	erence is made above,	please co	ombine all references		

(Added Pages for Application Transmittal Where B nefit of Prior U.S. Application(s) Claimed [4-1.1]—page 2 of 5)

## 18. Relat Back—35 U.S.C. § 119 Pri rity Claim f r Pri r Applicati n

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

	Country	Appln. no.	Filed on	
The cer	tified copy(ies) has (ha	ave)		
	been filed on		/, which was	3
	is (are) attached.			
WARNING	the International Bureau application in the conti- application communicat a U.S. serial number unle stage is not entered. The prosecution of a continu- documents from the fold to request transfer, retrie enter and make a record the priority documents	may not be relied on without any not inuing application. This is so becaused by the International Bureau is less the national stage is entered. Such erefore, such certified copies may ling application. An alternative wou ers and transfer them to the continuing to f such copies in the Continuing A	the been communicated to the PTO by seed to file a certified copy of the priority placed in a folder and is not assigned the folders are disposed of if the national not be available if needed later in the uld be to physically remove the priority ing application. The resources required notations, transfer the certified copies application are substantial. Accordingly ons that have not entered the national 9 O.G. 32 to 46).	y y dal e y d s, /,
19. Ma	intenance of Cope	ndency of Prior Applica	ation	
r	The PTO finds it useful if a esponse is filed with the player 5, 1985 (1060 0.0	apers constituting the filing of the	rior application extending the term for ne continuation application. Notice o	r of
<b>A.</b> 🗆	Extension of time in	prior application	•	
(Thi		leted and the papers filed a d set in the prior application		
	A petition, fee and reuntil		n the pending <b>prior</b> application	n
	☐ A copy of the p	etition filed in prior applica	tion is attached.	
<b>B.</b> 🗆	Conditional Petition	for Extension of Time in Pr	ior Application	
	(complete th	is item, if previous item no	t applicable)	
	A conditional petitio application.	n for extension of time is b	peing filed in the pending <b>pric</b>	r
	☐ A copy of the c	onditional petition filed in th	ne prior application is attached	ı.
			:	

	Cla	im	d
			(complete applicable item (a), (b) and/or (c) below)
(a)		app	s application discloses and claims only subject matter disclosed in the prior dication whose particulars are set out above and the inventor(s) in this dication are
			the same.
			less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:
			(type name(s) of inventor(s) to be deleted)
(b)		a n	s application discloses and claims additional disclosure by amendment and ew declaration or oath is being filed. With respect to the prior application inventor(s) in this application are
			the same.
			the following additional inventor(s) have been added:
			(type name(s) of inventor(s) to be added)
(c)		The	inventorship for all the claims in this application are
			the same.
			not the same. An explanation, including the ownership of the various claims

at the time the last claimed invention was made

is submitted..□ will be submitted.

20. Furth r Inv nt rship Stat m nt Wh re B nefit f Pri r Appli ati n(s)

21. Aband nment of Pri r Applicati n (if applicable)
Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.
NOTE: According to the Notice of May 13, 1983 (103, TMOG 6-7), the filing of a continuation or continuation-in- part application is a proper response with respect to a petition for extension of time or a petition to revive and should include the express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application.
22. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment
WARNING: "The claims of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and (2) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds of art of record in the next Office action if they had been entered in the earlier application." M.P.E.P., § 706.07(b), 6th ed., rev. 2.
NOTE: Where it is possible that the claims on file will give rise to a first action final for this continuation application and for some reason an amendment cannot be filed promptly (e.g., experimental data is being gathered, it may be desirable to file a petition for suspension of prosecution for the time necessary.
(check the next item, if applicable)
There is provided herewith a Petition To Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed Concurrently)
23. Small Entity (37 C.F.R. § 1.28(a))
Applicant has established small entity status by the filing of a statement in parent application / on
☐ A copy of the statement previously filed is included.
WARNING: See 37 C.F.R. § 1.28(a).
WARNING: "Small entity status must not be established when the person or persons signing the statement can unequivocally make the required self-certification." M.P.E.P., § 509.03, 6th ed., rev. 2, July 1996 (emphasis added).
24. NOTIFICATION IN PARENT APPLICATION OF THIS FILING
☐ A notification of the filing of this
(check one of the following)
□ continuation
☐ continuation-in-part
☐ divisional
s being filed in the parent application, from which this application claims priority under $35$ J.S.C. $\S$ 120.
·

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed [4-1.1]—page 5 of 5)

			•
Pra	titi n r's Do k t N . NEB-154		PATENT
<b>D</b>	Applicant Evans, et al.		Patentee
	Application No.		Pat nt No.
	Filed on		Issued on
Titl	e: INTEIN-MEDIATED PROTEIN L	IGAT	ION OF EXPRESSED PROTEINS
	STATEMENT CLAIMIN (37 CFR 1.9(f) and 1.27(c))—		
l h	ereby state that I am		
	☐ the owner of the small busines	s con	cern identified below:

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

X	the specification filed herewith, with title as listed above.
	the application identified above.
$\Box$	the natent identified above

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27)

(Small Entity-Small Business [7-4]—page 1 of 2)

	No such person, concern, or organization exists.
	Each such person, concern or organization is listed below.
Name	New England Biolabs, Inc.
Address	22 Waran Bood
	Beverly, MA 01915
	DIVIDUAL   SMALL BUSINESS CONCERN   NONPROFIT ORGANIZATION
Name	
Address	
☐ IN	DIVIDUAL   SMALL BUSINESS CONCERN   NONPROFIT ORGANIZATION
in status	nowledge the duty to file, in this application or patent, notification of any change resulting in loss of entitlement to small entity status prior to paying, or at the time g, the earliest of the issue fee or any maintenance fee due after the date on which is a small business entity is no longer appropriate. (37 CFR 1.28(b))
	(check the following item, if desired)
NOTE:	The following verification statement need not be made in accordance with the rules published on Oct. 10, 1997, 62 Fed. Reg. 52,131, effective Dec. 1, 1997.
NOTE:	"The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 C.F.R. § 1.4(d)(2).
that all s	hereby declare that all statements made herein of my own knowledge are true and statements made on information and belief are believed to be true; and further, that tatements were made with the knowledge that willful false statements and the like e are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 inited States Code, and that such willful false statements may jeopardize the validity pplication, any patent issuing thereon, or any patent to which this verified statement
of the U	• •
of the Use of the ap is direct	of Person Signing Gregory D. Williams
of the Up of the ap is direct Name of Title of	of Person Signing Gregory D. Williams  Person if Other Than Owner
of the Up of the ap is direct.  Name of Title of Address	of Person Signing Gregory D. Williams General Counsel